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August 15, 2002

**Ex Parte**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., TW-B204  
Washington, D.C. 20554

Re: Application of Qwest Communications International, Inc.  
To Provide In-Region InterLATA Services in the States of Colorado,  
Idaho, Iowa, Nebraska and North Dakota, WC Docket No. 02-148

Application of Qwest Communications International, Inc.  
To Provide In-Region InterLATA Services in the States of Montana,  
Utah, Washington & Wyoming, WC Docket No. 02-189

Dear Ms. Dortch:

Qwest hereby responds to several questions from the Wireline Competition Bureau regarding the following topics: Qwest's maintenance of multiple IMA versions for the convenience of CLECs, Qwest's plans to provide OP-5+ (feature) results, Qwest's rate of successful repairs, Idaho Track A data and PO8A and PO-9A data. The responses are attached.

The twenty-page limit does not apply as set forth in DA 02-1390 and DA 02-1666.

Sincerely,

*Hance Haney*

cc: M. Carowitz  
E. Yockus  
G. Remondino  
M. Cohen  
R. Harsch  
J. Jewel  
P. Baker  
C. Post  
P. Fahn

B. Smith  
J. Myles  
J. Stanley  
S. Vick  
J. Orchard  
C. Washburn  
S. Oxley

**QUESTION:**

Explain the availability of multiple versions of IMA and describe Qwest's actions in response to inappropriate rejects of order submitted via previous IMA versions.

**RESPONSE:**

It has been Qwest's practice for several years to maintain multiple versions of IMA EDI. This provides CLECs with flexibility in timing their migration to a new release. The flexibility provided to the CLECs by having multiple active versions of the IMA EDI interface is an added processing complexity for the centers.

WorldCom is currently submitting UNE-P LSRs via its business partnership with Z-Tel. Z-Tel is presently submitting these LSRs via IMA EDI 8.0. Z-Tel is the only remaining CLEC ordering UNE-P through IMA EDI version 8.0. some of these orders were inappropriately jeopardized and/or rejected because the Qwest Interconnect Service Center (ISC) was expecting LSRs formatted under the business rules established with IMA 9.0 or 10.0. A Multi-Channel Communicator was sent to the centers in person and through the following text of an MCC that was sent to the ISCs on June 28, 2002.

**QUESTION:**

Expand on para 85 of the Notarianni-Doherty Reply Declaration as to how, where and when OP-5 + (features) results will be reported.

**RESPONSE:**

The feature related LSR-Service Order mismatch data will be provided in the State, Regional and Checklist reports beginning with July results (August report). These results will be titled "Order Accuracy" and serve as additional information on OP-5, "New Service Installation Quality."

## QUESTION:

Please provide further explanation as to why Qwest's successful repair rate is acceptable.

## RESPONSE:

The claims raised by AT&T and WorldCom regarding Qwest's rate of successful repairs are based solely on the ROC OSS test criterion that was not satisfied. AT&T Comments at 44 and Finnegan/Connolly/Menezes Decl. ¶¶ 208, 214-215; WorldCom at 16-17 and Lichtenberg Decl. ¶¶ 64-66.

However, as explained on pages 46 and 47 of Qwest's reply comments, KPMG has testified that Qwest's repair processes are parity-by-design, and that the evaluation criterion relating to this issue in no way suggests that Qwest discriminates in connection with repair functions. See Attachment 5, Appendix P, Colorado OSS Hearing, June 10, 2002, at 127-29. Because this test criterion does not in any way imply that Qwest is repairing services in a discriminatory manner, it does not raise any 271 issues. The FCC has held that "[t]o the extent a BOC performs analogous maintenance and repair functions for its retail operations, it must provide [CLECs] access that enables them to perform maintenance and repair functions 'in substantially the same time and manner' as the BOC provides its retail customers." See *New Jersey 271 Order* at App. C, ¶ 38. Because KPMG testified that Qwest's repair operations are parity by design and nothing in the test, including the unsatisfied criteria, indicated that Qwest was discriminating in repair operations (See Attachment 5, Appendix P, Colorado OSS Hearing, June 10, 2002, at 127-29), Qwest clearly is meeting the 271 standards related to access to repair.

Even ignoring the parity standard and focusing on the absolute level of repair accuracy, it is clear that Qwest is accurately repairing reported troubles. Qwest addressed this issue – and related closed/unresolved Exception 3058 – in its Application. See OSS Decl. ¶¶ 476-478. As stated there, during the ROC OSS test, Qwest adequately repaired over 92% of POTS Resale, UNE-P, and UNE-L circuits on the first attempt. See *id.* ¶ 476. In addition, Qwest's analysis concluded that Qwest accurately repaired the inserted trouble at least 97.7% - not 92% - of the time. See OSS Reply Decl. ¶¶ 157.

Furthermore, as demonstrated by the results reported in the Declaration and Reply Declaration of Michael Williams, Qwest is performing extremely well on its commercial results for maintenance and repair performance measures. See Attachment 5, Appendix A, Declaration of Michael G. Williams, Commercial Performance, at Section III(B); Reply Declaration of Michael G. Williams, Commercial Performance, at ¶¶ 54-55, 60-61.

None of the State Authorities found that Qwest's rate of successful repairs hinder CLECs. The CPUC, citing Qwest's MR-7 (Repair Repeat Report Rate) performance

results, pointed out that “[n]o CLEC asserted that this measurement constitutes a fatal flaw to a finding of OSS compliance.” See CPUC Evaluation at 43. Clearly, Qwest's performance in this area is adequate.

**QUESTION:**

Why is Avista Communications not listed on a table in Appendix L in Qwest I, attachment 5, p. 653 which lists all carriers that are current or active in Idaho?

**RESPONSE:**

On April 19, 2002, Avista Communications of Idaho notified Qwest that it would discontinue its interconnection agreement with Qwest effective May 31, 2002. Avista's local exchange customers were transferred to XO Communications of Idaho (XO) on April 1, 2002, and XO formally executed a Services Transfer Agreement with Avista on June 4, 2002 to assume Avista's existing interconnection agreement in Idaho.

**QUESTION:**

1. Please provide a definition of "non-designed" services, or, in the alternative, identify all services evaluated under PIDs PO-8A and PO-9A.
2. Please provide volumes under PIDs PO-8A and PO-9A for Feb-June 02.
3. Is there another explanation (other than the one provided in ¶¶ 263-264 of Qwest's ROC I Initial OSS Declaration and ¶¶ 14-16 of Qwest's Reply Declaration) for Qwest's PO-8A and PO-9A misses in the ROC I states?

**RESPONSE:**

1. Below is a description of the non-designed services evaluated under PIDs PO-8A and PO-9A.

Non-Design Products for PO-8A and PO-9A

Wholesale Products	Retail Products
Resale Residence	Business 1FB
Resale Centrex 21	Residence 1FR
Resale Megabit	
Resale Business	
Resale Centrex	
Resale ISDN-BRS	

2. Below are the denominators (on a region-wide basis) for PIDs PO-8A and PO-9A in the first six months of 2002. The denominators for PID PO-8A represent the number of orders for which a jeopardy notice was sent. The denominators for PID PO-9A represent the number of orders for which the due date was missed.

PO-8A Regional Denominators

	Wholesale	Retail
Jan	90	5,527
Feb	63	4,919
Mar	57	5,173
Apr	66	5,474
May	73	5,645
June	74	5,725



### PO-9A Regional Denominators

	Wholesale	Retail
Jan	141	10,920
Feb	92	9,814
Mar	81	8,257
Apr	71	7,526
May	86	7,259
June	90	6,907

3. In Qwest's Initial OSS Declaration and Reply Declaration, Qwest explained that the few instances in which it did not meet the parity standard under PO-8A could be explained by the fact that, in the commercial setting, Qwest often has more time to issue Retail jeopardy notices than Wholesale jeopardy notices. See ROC I OSS Initial Declaration at ¶¶ 263-264, Reply Declaration at ¶¶ 14-16. This is the primary explanation for why Qwest missed the parity standard on a few occasions in the ROC I states.

Nevertheless, as illustrated in the charts below (and discussed in Qwest's Initial and Reply Declarations), Qwest's performance under PIDs PO-8A and PO-9A in the ROC I states has been extremely strong over the past six months. Although Qwest missed PO-8A in Colorado in January, February and June, and in Idaho in June, it met the parity standard in every other month and in all six months in Iowa, Nebraska and North Dakota. Qwest's performance under PO-9A was even stronger, as Qwest missed the parity standard under that PID only in North Dakota in June.

### Misses Under PO-8A (Jan-June 2002)

	Jan 2002	Feb 2002	Mar 2002	Apr 2002	May 2002	June 2002
Colorado	X	X				X
Idaho						X
Iowa						
Nebraska						
North Dakota						

Misses Under PO-9A (Jan-June 2002)

	Jan 2002	Feb 2002	Mar 2002	Apr 2002	May 2002	June 2002
Colorado						
Idaho						
Iowa						
Nebraska						
North Dakota						X

The FCC set forth its standard for the provision of jeopardy notices most recently in the *Georgia/Louisiana 271 Order*. In that order, the FCC found that BellSouth provides jeopardy notices “in a manner that affords competitors a meaningful opportunity to compete” based on BellSouth’s commercial performance data (for UNE-P).<sup>1</sup> See *Georgia/Louisiana 271 Order* at ¶¶ 155-156.

In the *Georgia/Louisiana 271 Order*, the FCC found BellSouth’s performance adequate despite “a few scattered exceptions” where BellSouth missed the parity standard. See *id.* at ¶ 155, n.551 (noting that BellSouth missed parity in Georgia for one product from December through February, partly because of low volumes). Here, Qwest’s performance has been equally strong. Although Qwest missed the parity standard under PO-8A in Colorado in January, February and June, volumes in those months – as in many months for this PID – were low, with only 14 jeopardy notices issued in January, 12 in February, and 14 in June. See Colorado Commercial Performance Results at 67 (PO-8A). In Idaho in June (the only other time Qwest missed PO-8A), only four jeopardy notices were issued. In the *Georgia/Louisiana 271 Order*, the FCC explicitly stated that it “has declined to make a determination that a BOC fails to satisfy its section 271 obligation based on low volume performance measurements.” See *Georgia/Louisiana 271 Order* at ¶ 155, n.551. The FCC should do so as well here.

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<sup>1</sup> That the FCC in the *Georgia/Louisiana 271 Order* focused on jeopardy notices for UNE-P, as opposed to non-designed services (which we discuss here) is irrelevant. Qwest’s performance under PO-8D and PO-9D, both of which pertain to UNE-P, is equally strong. In fact, Qwest met the parity standard under these PIDs in every state over the past six months, except for in Colorado, where it missed PO-9D in April and June.